

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

BRIAN A. DAVIS, et al,	)	
Plaintiffs,	)	
	)	C.A. No. 16-26 Johnstown
	)	
v.	)	
	)	
CHARLES S. SAMUELS, et al,	)	
Defendants.	)	

**MEMORANDUM ORDER**


This prisoner civil rights action was received by the Clerk of Court on January 25, 2016, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The magistrate judge's report and recommendation, issued on December 15, 2017, recommended that the motion to dismiss Plaintiff's amended complaint filed by Defendants The Geo Group, Inc. and G.C. Wigen [ECF No. 29] be granted, that Defendants Samuels, BOP Administrator, Kuta, and O'Neill be dismissed from this case for Plaintiffs' failure to prosecute, and that this case be closed. Objections were filed, along with a Request to Reassign to a Different Magistrate Judge [ECF No 39] by Plaintiffs on December 28, 2017. After de novo review of the complaint and documents in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 30<sup>th</sup> Day of January, 2018;

IT IS HEREBY ORDERED that the motion to dismiss Plaintiff's amended complaint filed by Defendants The Geo Group, Inc. and G.C. Wigen [ECF No. 29] is GRANTED, and Defendants Samuels, BOP Administrator, Kuta, and O'Neill are dismissed from this case for Plaintiffs' failure to prosecute. The Clerk is directed to close this case.

The report and recommendation of Magistrate Judge Baxter, issued December 15, 2017, is adopted as the opinion of the court.

January 30, 2018

  
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KIM R. GIBSON  
United States District Judge

cc: Susan Paradise Baxter  
U.S. Magistrate Judge

all parties of record \_\_\_\_\_